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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/622,388 | 03/19/2001 | Mehmet Kemal Ozkan | RCA-88914 | 5277 |
| 7590 | 07/14/2005 | | EXAMINER | |
| Joseph S Tripoli Thomson Multimedia Licensing Inc PO Box 5312 Princeton, NJ 08540 | | | TRAN, HAI V | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2611 | |

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,388

Applicant(s)

OZKAN ET AL.

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 02/24/2005 have been fully considered but they are not persuasive.

Applicant argues "...there is no disclosure that a user is allowed to select between different groups of broadcast services collated by area as is essentially recited in Claims 1, 15, 16, 18, 31 and 32."

In response, the Examiner respectfully disagrees with Applicant because Eyer' s Fig. 4 (Col. 10, lines 7-Col. 11, lines 65+) represents Broadcast IPG Bundles comprises elements 400, 405, 410 and 15 that are broadly interpreted as areas. Thus Eyer' s Broadcast IPG Bundles comprises plurality of areas of IPG data. Moreover, Eyer' s Fig. 4 shows that IRD at each area receives corresponding channel map data of at least two areas, a Global 400 and a region (405/410/415), for example IRD in region A receives B0 Global IPG data 400 and B1 Region A IPG data 405. In doing so, user with corresponding IRD in region A is able to select between different groups (at least 2) of broadcast services, i.e. B0 Global IPG data and B1 Region A IPG data, collated by area, such as Global and Region A.

As such, the Examiner maintains the rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-6, 11-16, 18-23, and 27-32 are rejected under 35 U.S.C. 102(e) as being unpatentable by Eyer et al. (US 6160545).

Claims 1 and 15, Eyer discloses an apparatus for decoding packetized program information from a 1st source to provide a program guide (Fig. 1, 3) comprising:

A processor 170 for acquiring ancillary and program guide information in the packetized program information (Col. 8, lines 35-52), the ancillary information including.

Channel mapping information enabling a user of the decoding apparatus to select between different groups of broadcast services collated by area (Fig. 4; Col. 8, lines 64-Col. 9, lines 20), and

Data for collating program guide information associated with the broadcast services by scheduled time of broadcast (Col. 4, lines 25-31), and

A data collector (350, 348,180) for collating the program guide information associated with the broadcast services using the ancillary information (Col. 9, lines 45-56); and

A display processor 190 for processing the collated program guide information for display (Col. 9, lines 54-56).

Claim 2, Eyer further discloses wherein the area comprises at least one of a geographic area, an area served by a satellite, terrestrial, or a cable broadcaster and a market area of a service provider (Col. 9, lines 10-44).

Claim 3, Eyer further discloses wherein the channel mapping information comprises at least one of a channel information map associating particular broadcast channels with particular areas, and a service information map associating particular services with particular areas (Col. 4, lines 51-Col. 5, lines 8 and Col. 9, lines 2-20).

Claim 4, Eyer further discloses wherein the services comprise at least two of video channels, audio channels, internet service, phone or fax service, WAN service (Fig. 1, 2; Col. 5, lines 45-Col. 6, lines 17).

Claim 5, Eyer further discloses wherein the channel mapping information associates particular broadcast channels with a region identification designation (Fig. 4; Col. 9, lines 1-35).

Claim 6, Eyer further discloses wherein the region identification designation comprises at least one of a zip code, a telephone area code, and another region code, (Col. 21, lines 18-31) and

The data collator collates program guide information by comparing the region identification designation with a pre-stored region identification designation of the apparatus (Col. 21, lines 24-31 and Col. 9, lines 44-62);

Claim 11, Eyer further discloses wherein the channel mapping information is formed in accordance with MPEG protocol (Col. 8, lines 14-18; Col. 11, lines 34-41) and uses at least one data fields selected from a table_id_extension fields, a carrousselid field, and a user defined private data fields (see table 2; Col. 12 with "table_ID").

Claim 12, Eyer further discloses wherein the data collator collates the program guide information in response to a user selection input to provide a program guide selected from at least two available program guides associated with different areas (Col. 21, lines 13-38).

Claim 13, Eyer further discloses wherein the ancillary information is partitioned by area at the transport protocol level enabling filtering of the ancillary information by area prior to post-transport processing (Col. 10, lines 8-65+; Fig. 4).

Claim 14, Eyer further discloses wherein the ancillary information is partitioned by area enabling different ancillary information elements to be targeted for decoding in corresponding different areas (Col. 10, lines 8-65+ and Col. 18, lines 28-Col. 21, lines 7 and Fig.4).

Claim 16, as analyzed with respect to claim 1, Eyer further discloses a storage medium 350 (Fig. 3) that stores all the limitation claimed (Col. 9, lines 35-Col. 10, lines 6).

Claim 18, method claim 18 is analyzed with respect to apparatus claim 1, in which Eyer further discloses "forming linking information associating programs with said broadcast services; and incorporating said ancillary information and said linking information into packetized data for output to a transmission channel (see Fig. 2).

Claim 19, method claim 19 is analyzed with respect to apparatus claim 2.

Claim 20, method claim 20 is analyzed with respect to apparatus claim 3.

Claim 21, method claim 21 is analyzed with respect to apparatus claim 5.

Claim 22, method claim 22 is analyzed with respect to apparatus claim 6.

Claim 23, method claim 23 is analyzed with respect to apparatus claim 1.

Claim 27, method claim 27 is analyzed with respect to apparatus claim 14.

Claim 28. Eyer further discloses wherein the particular decoder is associated with the particular area using a unique decoder identification code (Col. 21, lines 20-31).

Claim 29, Eyer further discloses "dynamically updating said information associating a particular area with at least one particular decoder to associate a different area with said particular decoder" (Col. 21, lines 30-39).

Claim 30, method claim 30 is analyzed with respect to apparatus claim 11.

Claims 31 and 32, method claims 31 and 32 are analyzed with respect to apparatus claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-10, 17, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyer et al. (US 6160545) in view of Stautner et al. (US 6172677).

Claim 7, Eyer does not disclose “wherein the ancillary information includes objects associated with the program guide information and includes information partitioned into tables, and the processor acquires data for collating the tables and object by areas”; however, Eyer discloses channel mapping information as discussed in claim 1 (see Fig. 2; col. 7, lines 20-60 and Col. 8, lines 35-Col. 9, lines 44).

Stautner discloses the use of database containing descriptive information about related services, as ancillary information, includes objects (i.e., icons/objects and other means to indicate the availability of additional information) associated with program broadcast (i.e., TV program) on particular channels (Col. 3, lines 50-65+; col. 5, lines 65-Col. 6, lines 60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer with Stautner so to provide to user an integrated content guide with associated features provided (i.e., URL) for searching and finding content of interest both within and across plurality of signal types (Col. 2, lines 64-Col. 3, lines 8).

Claim 8, Eyer does not clearly disclose wherein the data for collating the tables and objects includes region identification designations for associating objects with regions that are different to table regions, and the data collator collates the objects into regions different to regions of the tables.

Stautner discloses wherein the data for collating the tables and objects includes region identification designations for associating objects with regions that

are different to table regions, and the data collator collates the objects into regions different to regions of the tables (see fig. 3 and 5; Col. 6, lines 8-Col. 7, lines 50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer with Stautner so to provide to user a single coherent and informative controlling front end /GUI that allows user ease to navigate, select or take action that may be needed as part of the interactive of the program guide (Col. 2, lines 64-Col. 3, lines 8).

Claim 9, Eyer' s IPG inherently meets the claimed limitation "wherein said object comprises at least one of a video segment, an audio segment, text, an icon representing a user selectable item for display, an HTML or SGML document, a menu of selectable items, an image windows for presenting within an encompassing image, and an image for initiating a multimedia function" because Eyer 's IPG is an Interactive program guide in which at least meets "a menu of selectable items".

Claim 10, Eyer does not clearly disclose "wherein ancillary information includes acquisition information for use in acquiring said ancillary information from a second source different to said first source, and said acquisition information includes one of an Internet URL, an Internet IP address, an Email address, and a telephone/fax/videophone number."

Stautner discloses "wherein ancillary information includes acquisition information for use in acquiring said ancillary information from a second source

different to said first source, and said acquisition information includes one of an Internet URL, an Internet IP address, an Email address, and a telephone/fax/videophone number" (Fig. 3; Col. 5, lines 24-65+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer with Stautner so to provide to user an integrated content guide with associated features provided (i.e., URL) for searching and finding content of interest both within and across plurality of signal types (Col. 2, lines 64-Col. 3, lines 8).

Claim 17, Eyer does not clearly disclose "wherein the channel mapping information includes a program information map linking the objects with program guide information items associated with program broadcast on particular channels"; however, Eyer discloses channel mapping information as discussed in claim 1.

Stautner discloses the use of database containing descriptive information about related services (i.e., icons/objects and other means to indicate the availability of additional information) associated with program broadcast (i.e., TV program) on particular channels (Col. 3, lines 50-65+; col. 5, lines 65-Col. 6, lines 60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eyer with Stautner so to provide to user an integrated content guide with associated features provided (i.e., URL) for searching and finding content of interest both within and across plurality of signal types (Col. 2, lines 64-Col. 3, lines 8).

Claim 24 is analyzed with respect to apparatus claim 7.

Claim 25 is analyzed with respect to apparatus claim 9.

Claim 26 is analyzed with respect to apparatus claim 8.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

07/07/2005

HT:ht



HAI TRAN
PRIMARY EXAMINER